

Message Text

CONFIDENTIAL

PAGE 01 STATE 241173

72

ORIGIN EB-11

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 RSC-01 TRSE-00

EUR-25 AEC-11 ISO-00 EA-11 /060 R

DRAFTED BY EB/ITP/EWT:JMGREGORY, JR.:MAR

APPROVED BY EB/ITP/EWT:JMGREGORY, JR.

EB/ITP/EWT:RBWRIGHT

RPE

----- 088601

P 102039Z DEC 73

FM SECSTATE WASHDC

TO USMISSION OECD PARIS PRIORITY

C O N F I D E N T I A L STATE 241173

EXCON

EO 11652: XGDS-1

TAGS: ESTC, COCOM

SUBJ: JAPANESE PROPOSAL ON APPLICABILITY OF NOTE 4 -

IL 1565

REFS: A. COCOM DOC(73)1565/1

B. OECD PARIS 31355

1. IN THE ABSENCE OF RECORDS OF DISCUSSION, IT IS OF COURSE DIFFICULT TO JUDGE JUST WHERE THE UK UNDERSTANDING NOW RESTS. REF B SUGGESTS THAT UK TIME CLAUSE PROPOSAL HAS HOPEFULLY UNDERGONE DILUTION TO THE POINT OF MERE FORMALITY.

2. INASMUCH AS IT HAS BEEN AGREED BILATERALLY AS WELL AS ON THE COCOM RECORD THAT 1565 SHOULD BE TREATED WITH ALL POSSIBLE SPEED AS A MATTER SEPARATE FROM THE GENERAL LIST REVIEW, THE INITIAL CLAUSE FOR ONE YEAR WITH UK AGREEMENT TO EXTEND IT ANOTHER YEAR AS DESCRIBED IN PARA 4 REFTTEL BECOMES RATHER REDUNDANT. ADDITIONALLY, BECAUSE THE REDEFINITION OF 1565 HAS ENCOUNTERED SUCH LONG DELAY, IT MIGHT BE EXPECTED THAT DESIRE WOULD BE UNANIMOUS THAT ANY REDEFINITION WOULD ENTER INTO FORCE AFTER THE CUSTOMARY 30-DAY

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 241173

NITION WOULD ENTER INTO FORCE AFTER THE CUSTOMARY 30-DAY

PERIOD WITHOUT REFERENCE TO OVERALL LR RESULTS.

3. WITH REGARD TO THE UK POSITION IN PARA 3, POINT A HAS BEEN AGREED BY ALL PCS EXCEPT THE UK AND POINT B CONFORMS WITH THE ACCEPTED GENERAL RULE THAT POSITIONS ON ANY ANY OTHER AND THAT EACH CASE BE JUDGED ON ITS MERITS.

4. THEREFORE, QUESTION ARISES AS TO WHY THE UK DELEGATE HAS BEEN SO INSISTENT ON RESTATING WHAT IS ALREADY ON RECORD OR ESTABLISHED IN COCOM PRACTICE IF HE HAS NOT BEEN ATTEMPTING TO ANTICIPATE THE SUBSTANCE OF ANY US PROPOSAL.

5. IN ORDER TO CLEAR THE QUESTION IN A TIMELY FASHION, DEL MAY, WITHIN THE STRICTURES OF HIS PREVIOUS INSTRUCTIONS, ACCEPT THE REVISED OBJECTIVES BEFORE THE COMMITTEE, PROVIDED THEY ESTABLISH NO COMMITMENT AT THIS TIME FOR THE USG EITHER TO TABLE OR TO BE REPRESENTED AT NEGOTIATIONS ON 1565 WITHIN A FIXED PERIOD AND THAT THEY OFFER NO BASIS FOR AUTOMATIC REIMPOSITION OF THE PRESENT DIFFERENTIAL AT THE END OF ONE YEAR. THE LATTER POINT WOULD PRECLUDE USE OF THE STANDARD UPSET CLAUSE. RATHER LANGUAGE SIMILAR REFTEL PARA 4 B II, (VIZ, MERELY TO PROVIDE OPPORTUNITY TO DISCUSS THE PROVISIONAL ARRANGEMENT) WOULD APPEAR ACCEPTABLE. IN OTHER WORDS, DEL MAY AGREE WITH PRINCIPLE AND WHAT IS ALREADY ON RECORD, BUT KEEP THE CD BURDEN ON THE UK AND EXERCISE CARE TO PRESERVE THE FLEXIBILITY OF OUR POSITION UNTIL THE PRESENT INTERAGENCY STUDY HAS ADVANCED TO A MORE DEFINITIVE STAGE AND WE CAN PROVIDE MORE EXPLICIT INSTRUCTIONS. RUSH

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, EXCEPTIONS LIST, COMPUTERS, EXPORT CONTROLS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 DEC 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE241173
Document Source: CORE
Document Unique ID: 00
Drafter: JMGREGORY, JR.:MAR
Enclosure: n/a
Executive Order: X1
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731234/aaaaaypq.tel
Line Count: 91
Locator: TEXT ON-LINE
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A. COCOM DOC(73)1565/1
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 27 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27-Aug-2001 by garlanwa>; APPROVED <27-Nov-2001 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: JAPANESE PROPOSAL ON APPLICABILITY OF NOTE 4 - IL 1565
TAGS: ESTC, COCOM
To: OECD PARIS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005